



The Sentry News Letter

[insideKAPO](#) | Feb. 2, 2011 | kapo.org

KAPO's Mission Statement

1. To free private property from unreasonable government regulation
2. To work for responsible wildlife habitat protection and for conservation of natural resources
3. To support those who defend the rights guaranteed to owners of private property by the United States and Washington State Constitutions

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President's Report

by Tim Mathes timcm@wavecable.com

When we get piled upon one another in large cities, as in Europe, we shall become as corrupt as Europe . Thomas Jefferson

Thomas was right on when he said that. Today, with the help of the United Nations, we are rapidly moving toward a one world planning disaster called sustainable development. The undisputable facts are that we must fight to keep all of our cherished freedoms. This is a daunting task, and at times it seems impossible for us to make much of a difference. However, we are not alone. Organizations such as Pacific Legal Foundation (PLF) www.pacificlegal.org or www.effwa.org are in this battle with Kitsap Alliance of Property Owners. These two organizations are helping to spread the word that we are quickly losing our constitutional freedoms. More importantly, they back that contention up with their actions!

Pacific Legal Foundation's motto is, Rescuing Liberty from Coast to Coast. We are very lucky to have the PLF regional office in Bellevue , Washington . Lead attorney for the Northwest Center is Brian Hodges. He has been doing a lot of appeal work on behalf of KAPO, and defending many other property owners here in our state. Brian, along with all the EFF staff is ready and willing to go that extra mile in defense of your liberties.

Evergreen Freedom Foundation is celebrating its 20th year of educating the public on Federal and State Constitutional freedoms. EFF stands with KAPO spreading the word that freedom is not free and that the price of freedom is constant vigilance and continued public education about our constitutions. Mr. Bob Williams , founder of EFF, will be our guest speaker at KAPO's annual election dinner. The dinner will be on February 24, 2011 at 5:30 PM at the AA China Buffet and is open to the public. Bob's message is so important to our country and our organization. Please attend and invite someone that needs to hear his words of wisdom.

A simple thanks to staff of both organizations is important but they really need donations to continue and expand their outreach in 2012. I am sure that any donation large or small will be put to good use. Go to www.pacificlegal.org or www.ewfa.org and follow the donations instruction. .

I would like to thank the 2010 board and officers of KAPO for making last year a success. It has been my honor and privilege to serve as your president this last year. I will not be running again this year because I believe we need new ideas and a fresh approach from the office of the president. Believe me when I say that without KAPO we would have no representation and voice speaking out against the steady march to take our property. Thank you all for your continued support and commitment to KAPO.

Web Sites to Remember

www.KAPO.org

www.insideKAPO.wordpress.com

www.kitsapshoreline.org

www.ecy.wa.gov

You may be referred to these web sites for more information in the future. Our news letter "The Sentry" will still be published to keep us informed. Write down the above web sites to round-out your information sources.

Executive Director's Report

Bill 5451 is presently in Senator Rockefeller's committee "Environment Water & Energy". We are happy to show you some of the letters that have gone out from our members. If you wish to send your thoughts to Senator Rockefeller and your representatives these examples may help you.

Please click on www.Washingtonvotes.org for information on current Bills in the House and Senate. You can also find e-mail address to your Representatives and Senators.

To: Senator Phil Rockefeller (rockefeller.phil@leg.wa.gov)

Subject: Senate Bill 5451 Declaring Existing Shoreline Homes "Conforming"

Dear Senator Rockefeller,

Thank you so much for sponsoring this Bill. I want you to know that I support it. I am speaking on behalf of Kitsap Alliance of Property Owners in supporting this Bill. The Shoreline Management Act gives protection of residential dwellings as a "preferred use", but many local governments - Kitsap included - are using their Critical Areas Ordinance to regulate shoreline uses and development. This puts replacement (in case of fire or other casualty) and/or expansion of existing dwellings at risk. Classifying existing homes as "non-conforming" leaves the property, the property owner, his/her investment and home in serious jeopardy. Many mortgage companies hesitate to loan money on "nonconforming" structures. No one seems to know exactly what "non-conforming" means. How does a property owner explain what "nonconforming" means to a prospective buyer who is considering purchasing their home?

"Nonconforming" has the connotation of being "illegal" or "undesirable". It doesn't "belong". When the structure was built it met all building code requirements and passed city/county inspections. Present and past owners have faithfully enjoyed and cared for the property and paid property taxes on it for years - decades, perhaps. For most of us, our homes are our greatest investment. Allowing government to put into jeopardy the future of these homes by using a label is disastrous to these homeowners and their families. We can only contemplate the unintended consequences.

I'd also like to call your attention to the thousands of homes outside of Urban Growth Areas not on the shorelines that are also considered by government to be nonconforming. I live on a two acres parcel in an area that is zoned one dwelling unit per 10 acres. My home and property are "nonconforming". Perhaps you would lend your support in giving these homes a rightful place in our community.

Thank you for sponsoring this bill. If I or any KAPO member can help in any way to get this bill passed, please let me know.

Respectfully,

Vivian Henderson
Executive Director
Kitsap Alliance of Property Owners
Cell: 360-710-8560

Dear Senator Kilmer,

I would like to thank you for supporting **Senate Bill 5451** Declaring Existing Shoreline Homes "**Conforming**". My husband and I were sick in our hearts that our 33 years of work were being destroyed by the Dept. of Ecology (DoE) forcing the counties and cities into **NON-CONFORMING** status. . .(What about rural areas that were permitted, built and now considered non-conforming by DoE?) They still may be able to make shorelines non-conforming under the guise of "Buffering" which strips away normal residential usage of the land. If this bill does not pass our homes will virtually be taken economically and lives destroyed. I can't believe this would happen in America . Thank you for voting yes on Bill 5451.

Mr. and Mrs. Robert Rossworn
Port Orchard, WA.

Subject: Support SB 5451 Shoreline Structures Bill

Dear Honorable Legislators,

Please support Senate Bill 5451 when it comes to vote, and lobby the bill's sponsors to vote it out of committee.

Defining existing shoreline structures as "conforming" will go a long way to easing concerns of shoreline property owners that their homes and commercial structures will not be subject to removal over the long term because they become "non-conforming" solely as a result of updates to Shoreline Master Plans.

Those of us who have studied the science have found Department of Ecology deficient in not providing scientific evidence of harm to the salt water environment from these structures, yet current SMA updates are being written and adopted that put these structures unfairly in jeopardy.

Sincerely,

Michael A. Gustavson
Southworth, WA

Bulk Heads and Seawalls *by Carl Shipley , PhD, Poulsbo*

I moved to Kitsap County a little over a year ago and almost immediately became aware of the heated debate about how shoreline development might be affecting the nearshore environment.

I found that residential bulkheads are universally condemned by the environmental movement and Kitsap County because they are thought to harm nearshore health. Yet, I also learned that a detailed study of Bainbridge shoreline found that bulkheads had no clear effects on standard measures of environmental health, such as the presence of eelgrass beds or forage fish spawning areas.

I've spent a lot of time in the last year reading and attending lectures in order to try to understand this apparent contradiction. Of course, I have not been able to do a complete review of all the literature on bulkheads and environmental health, but below are some thoughts that might help explain why bulkheads are condemned by environmentalists yet good research fails to find that they have clear harmful effects.

read the rest of the article at [InsideKapo](#) (just click)

Smart Growth Isn't Cheap *by Mike Gustavson, Director*

Until recently, 8,000 homes (new and used) were sold annually in Kitsap County , with median home prices at \$265,000. Now that bank loans require 20% down and 28% of income qualifying toward principle, interest, taxes and insurance, median priced homes must be no higher than 3.0 times Kitsap's median income of \$60,000. That means

median priced homes must come down \$85,000 to a new median price of \$180,000. The additional \$85,000 amounts to an additional \$509/month on a 30 year, 6% mortgage.

The cost of smart growth for Kitsap is:

\$509 x 12 months = \$6,108/year x 8,000 homes sold per year = \$48,864,000

\$48,864,000 x 6 past years* of houses sold under these regulations

= **\$293,184,000 excess mortgage cost being paid annually out of Kitsap**

homeowner's pockets

This is discretionary money that could have been used for new car payments, vacations or whatever.

Since each dollar created circulates through an average of seven purchases:

\$293,184,000 x 7 times each dollar turns over = \$2,052,288,000 in retail sales lost to

Kitsap County x 0.1% Kitsap County General Fund portion of sales tax = **\$2,052,288**

County sales tax revenue lost annually just due to the cost of "permission to build" regulations.

Additionally, the "Cost of permission to build" of \$85,000, added to the \$60,000 cost of a typical lot under the current regulations, leaves only \$35,000 remaining for cost of construction. As you can see, few houses will be built for \$35,000 each. Under current bank lending practices, construction will not recover until the cost of lots is reduced through reduced regulation.

* Note: This [originally appeared](#) in Mike Gustavson's account of a joint Planning Commission / Board of County Commissioners meeting on May 4, 2009.

For those of you who are intent on controlling and restricting the uses of your neighbors' properties, consider the results of those actions. You will drive housing further out of reach for our young people. More housing will be owned as rental stock by an ever smaller group of "rich people".

Your neighbors bought and paid for their properties with their own sweat and sacrifice. As young people watch the uses of that effort disappear through non-justified regulation, they will turn and give up the idea that there is any point in their participating in home ownership. They will become permanent renters, and they will never obtain any measurable net worth. When it comes time for their major living costs, such as assisted living or nursing homes, they won't have the money to pay for them. Guess who will be left holding the bag, with their tax dollars - you will. And pay you will.

Likewise, today's young people will have nothing to pass on to their kids.

Economics and land use regulation aren't some kind of a game, where you can play with other's efforts because it's fun. The laws of economics are much like the laws of physics. They work... every time.

We Need You!

Kitsap Alliance of Property Owners (KAPO) is looking for a secretary to take and transcribe minutes of their monthly directors meeting. Directors and Officers meet on the first Tuesday of every month from 1:00pm to 3:00pm in West Bremerton. Be in the mix and learn about property rights. The selected person must be (or become) a KAPO voting member.

Please contact:

Director, Bill Henderson 360-731-3942

Vice President, Chuck Shank 360-908-1055

How to Join KAPO

Membership in Kitsap Alliance of Property Owners is available at three levels:

Voting Membership is open to applicants and includes voting rights. Membership dues are \$100 per year.

Associate Membership is also available. Associate Members do not enjoy voting rights. Associate Membership dues are \$25 per year.

Life Membership, voting membership for the life of the member, is available for a single payment of \$1000.

Dues are pro-rated quarterly. Contact Vivian Henderson for correct amount based on the date of your application.

The list of KAPO members is not released to the public. Individual member information is not used for any other purpose than the specific business of KAPO.

For more information or to receive a membership application visit the KAPO web site at www.kapo.org or contact Executive Director Vivian Henderson, at 360-710-8560 or via email.